



**COUNTY OF LOS ANGELES  
DEPARTMENT OF PUBLIC WORKS**

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
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ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

**GAIL FARBER, Director**

November 08, 2011

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

24 November 8, 2011

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

Dear Supervisors:

**DOMINGUEZ CHANNEL GREENWAY PHASES I AND II  
P200000789/FCC0001096  
CITIES OF GARDENA AND HAWTHORNE  
AND UNINCORPORATED EL CAMINO VILLAGE  
CATEGORICAL EXEMPTION – LANDSCAPE IMPROVEMENTS  
ADOPT, ADVERTISE, AND AWARD CONSTRUCTION CONTRACT  
(SUPERVISORIAL DISTRICT 2)  
(3 VOTES)**

**SUBJECT**

The recommended actions will reject bids received, adopt the plans and specifications, allow advertising for construction bids, and award a construction contract for the Dominguez Channel Greenway Phases I and II in the Cities of Gardena and Hawthorne and unincorporated El Camino Village.

**IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:**

1. Reject all bids received on August 30, 2011, for the Dominguez Channel Greenway Phases I and II project.
2. Adopt the plans and specifications that are on file with Department of Public Works' Architectural Engineering Division for construction of the Dominguez Channel Greenway Phases I and II project located in the cities of Gardena and Hawthorne and unincorporated El Camino Village, at an estimated construction contract cost between \$3,500,000 and \$4,100,000.

3. Instruct the Executive Officer of the Board of Supervisors to advertise for bids to be received and opened on December 6, 2011, in accordance with the Instruction Sheet for Publishing Legal Advertisements.
4. Authorize the Director of Public Works or her designee to act on behalf of the Flood Control District and execute a consultant services agreement with the apparent responsible contractor having the lowest responsive bid to prepare a baseline construction schedule and Storm Water Pollution Prevention Plan for a \$10,000 not-to-exceed fee funded by the existing project funds and to establish the effective date following Board approval.
5. Delegate to the Director of Public Works or her designee, acting on behalf of the Flood Control District, the authority to designate and reject all non-responsive bids and determine, in accordance with the applicable contract and bid documents, whether the apparent lowest responsive and responsible bidder has timely prepared a satisfactory baseline construction schedule that satisfies all conditions for contract award, including the criteria adopted by your Board for contract award. Upon determination that all such conditions have been satisfied, authorize the Director of Public Works or her designee to award and execute the construction contract, in the form previously approved by County Counsel, to the apparent lowest responsive and responsible bidder, and to establish the effective date of the contract upon receipt of acceptable performance and payment bonds and evidence of required contractor insurance; and to take all actions necessary and appropriate to fully deliver the project.
6. Authorize the Director of Public Works or her designee, to award and execute a contract for this project if the bid of the apparent responsible contractor with lowest responsive bid exceeds the estimated cost range if additional and appropriate funds have been identified.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Approval of the recommended actions will reject all prior bids, adopt the plans and specifications for the project, allow the Department of Public Works (Public Works) to advertise for construction bids and award a construction contract for the Dominguez Channel Greenway Phase I (Manhattan Beach Boulevard to Rosecrans Avenue) and Phase II (Rosecrans Avenue to El Segundo Boulevard) project, and authorize Public Works to execute a consultant services agreement with the apparent responsible contractor having the lowest responsive bid for the preparation of a baseline schedule. A Local Worker Program has been incorporated into the project's plans and specifications (see contracting process for detailed information on the Local Worker Program).

The proposed project improvements include landscaping, irrigation, bikeway/pedestrian trail improvements, fencing, replacement access gates, trash receptacles, and interpretive/educational signage on the existing bike path along the Dominguez Channel from Manhattan Beach Boulevard to El Segundo Boulevard. The existing bikeway/pedestrian trail work will involve repair and slurry seal of asphalt concrete pavement and new striping for bikeway trail. Landscaping improvements include native and/or drought-tolerant plants, irrigation, trash receptacles, retaining walls with a maximum height of 5 feet, and an asphalt concrete curb border to contain the landscape area and reduce debris along the bikeway/pedestrian trail. The project will include minor grading in preparation for the landscape installation, retaining walls, and appurtenant structures.

As part of the Phase I construction area, approximately 1,000 feet south from the southwest corner of Rosecrans Avenue and Crenshaw Boulevard, along the west levee of the Dominguez Channel will be reserved for From Lot to Spot, a non-profit organization. From Lot to Spot proposes to make

improvements with labor provided by students from a local school and community members with materials provided by a private grant awarded to From Lot to Spot, which may include installation of native and/or drought tolerant landscaping, benches, and a bio-swale. Encroachments were found along the limits of the Dominguez Channel Greenway Phases I and II project. These encroachments will be removed during construction, and notification will be provided to the property owners in advance of construction. This project is consistent with the Dominguez Watershed Management Master Plan goal of developing a continuous greenway, providing recreational elements, and restoring the natural environment along the channel.

On August 2, 2011, your Board previously approved the Dominguez Channel Greenway Phases I and II project for advertisement. On August 30, 2011, ten bids were timely submitted and two additional bids were not accepted when received after the Department's intended deadline for submission of bids. The County recently began posting bid documents on the County of Los Angeles Public Works website to increase awareness and access to contractors. The County's website inadvertently reflected a different deadline for bid submittals than was stated in the local advertisement. Due to this discrepancy in publicizing the bid deadline, the project will be readvertised for bid.

In order to expedite construction of the project, it is recommended that your Board authorize the Director of Public Works or her designee to award and execute a construction contract to the lowest responsive and responsible bidder (as defined in the Facts and Provisions/Legal Requirements section of this letter).

The proposed consultant services agreement requires the apparent lowest responsive and responsible bidder to prepare a baseline construction schedule that conforms to the County's schedule specification, which is critical to successfully manage construction activities by both the contract and the County. Bid documents provide that if the apparent lowest responsive and responsible bidder fails to complete an acceptable construction schedule, the Director of Public Works may return to your Board to recommend that the bidder be determined nonresponsive and recommend awarding the construction contract to the next apparent lowest responsive and responsible bidder, contingent on that bidder completing a baseline schedule that conforms to the County's specifications.

It is anticipated that the project will begin in April 2012 and be completed in January 2013.

#### **Sustainable Design Program**

The project supports your Board's Sustainable Design Program by implementing design features that are consistent with the Low Impact Design Standards. The project will use water-efficient fixtures and will implement the use of native and/or drought-tolerant landscaping where possible to reduce the amount of potable water consumed.

#### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provision of the improvement of Community and Municipal Services (Goal 3) by offering a wide range of services responsive to each community's specific needs. This project will help achieve these goals as it is an investment in public infrastructure that will benefit the Cities of Gardena and Hawthorne, Unincorporated El Camino Village, and surrounding communities by providing improvements along a bike path.

#### **FISCAL IMPACT/FINANCING**

There will be no impact to the County General Fund.

The estimated construction contract cost to complete this project is in the range of \$3,500,000 to \$4,100,000. The total project cost is estimated to be \$5,370,000. In addition to the construction contract cost, the total project cost includes the cost of plans, specifications, consultant services, survey, material testing, inspection, contract administration, change order contingency, and other County services.

The State Transportation Development Act, Article 3, Bikeway Fund will provide \$70,000 for the project. The remaining cost of the project will be funded by the Flood Control District Fund. Sufficient funds for this project are available in the Fiscal Year 2011-12 Flood Control District Fund and Article 3 Bikeway Fund Budgets.

#### Operating Budget Impact

Following completion of construction for the proposed project, the Flood Control District will maintain the improvements, which will be recommended in the Fiscal Year 2012-13 operating budget.

#### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The contract contains terms and conditions supporting your Board's ordinances and policies, including, but not limited to: County Code Chapter 2.200, Child Support Compliance Program; County Code Chapter 2.202, Contractor Responsibility and Debarment; County Code Chapter 2.203, Contractor Employee Jury Service Program; County Code Chapter 2.206, Defaulted Property Tax Reduction Program; Board Policy 5.050, County's Greater Avenues for Independence and General Relief Opportunities (GAIN/GROW); Board Policy 5.060, Reporting of Improper Solicitations; Board Policy 5.110, Contract Language to Assist in Placement of Displaced County Workers; and Board Policy 5.135, Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law).

Applicable law, including the State Public Contract Code, requires the County to award the construction contract to the apparent responsible contractor with the lowest responsible bid, which refers to the firm that: (1) submits the lowest-price bid; (2) is deemed by the County to be "responsive" to specific criteria under the solicitation, including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to have demonstrated the quality, fitness, capacity experience, and trustworthiness to satisfactorily perform the work required under the bid solicitation.

To ensure that the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractors State License Board labor law/payroll violations, and debarment actions. As provided for in Board Policy 5.140, the information reported by the contractor will be considered before contract award.

Pursuant to your Board's Civic Art Policy as revised on November 5, 2008, the proposed project is exempt from the Civic Art fee as the project is a flood control facility improvement.

## **ENVIRONMENTAL DOCUMENTATION**

On August 2, 2011, your Board determined that this project will not have a significant effect on the environment and is exempt from CEQA pursuant to Sections 15301(c) and (f), 15303 (d) and (e), 15304 (b) and (h), and 15311(a) of the State CEQA guidelines as well as Class 1 (f), (i), (m), (n), and (x) (1), (13), and (14); Class 3 (b) and (h); Class 4 (c) and (n); and Class 11 (d) of the County's Environmental Document Reporting Procedures and Guidelines Appendix G.

Public Works filed a Notice of Exemption with the Registrar-Recorder/County Clerk pursuant to Section 15062 of the State CEQA Guidelines on August 4, 2011.

## **CONTRACTING PROCESS**

A standard contract, in the form previously approved by County Counsel, will be used. The standard Board-directed clauses that provide for contract termination, renegotiation, and hiring qualified displaced County employees will be included in the contract.

As required by your Board, language has been incorporated into the project specifications stating that the contractor shall notify its employees, and shall require each subcontractor to notify its employees that they may be eligible for the Federal Earned Income Credit under the Federal income tax law (Federal Income Tax Law, Internal Revenue Service Notice 1015).

Advertising for bids will be in accordance with the County's standard Instruction Sheet for Publishing Legal Advertisements (Enclosure A).

As requested by your Board on February 3, 1998, this contract opportunity will be listed on the Doing Business with Us website. In addition, prospective bidders will be able to download plans and specification on Public Works' website, free of charge. Following receipt of bids and award of the consultant services contract for preparation of a baseline construction schedule to the lowest responsible contractor with the lowest responsive bid, we will award a construction contract in accordance with the authority delegated in this Board letter.

Participation by Community Business Enterprises (CBEs) in the project is encouraged through Public Works' CBE Outreach Program and by monitoring the good faith efforts of bidders to utilize CBEs.

A copy of the plans and specifications are on file in the Architectural Engineering Division of Public Works.

### **Local Worker Program**

In order to increase participation of qualified local residents who live within a 15-mile radius of Dominguez Channel Greenway Phases I and II, the same Local Worker Program (Program) for Job Order Contracts as authorized by your Board on December 8, 2009, has been incorporated into the project's plans and specifications.

The Program is designed to reduce commuting distances from home to work site, which will in turn reduce traffic congestion, pollution, release of greenhouse gases, and commuter stress. In addition, the Program is intended to enhance a sense of community pride and identity among local workers and their neighbors arising out of local workers' efforts to improve the appearance and functionality

of local public facilities.

The Program's objective is not intended to discriminate against or give preference to any particular group based on race, color, gender, sexual orientation, or disability, but to give work opportunities to qualified local residents where capital projects are being developed. Except to the extent that State or Federal laws or regulations mandate to the contrary, the Program's provisions will apply to the project.

For purposes of this project, an aspirational goal has been established under the Program that 40 percent of the construction labor hours worked by California residents on the project be worked by qualified local workers. A worker will be considered local for this project if he/she resides within a 15-mile radius of the project site.

Monitoring of the Program will be provided by Public Works' contract administration staff based on review of certified payroll records provided by the contractors. These records will be monitored with regard to hours worked and zip code of the workers to establish the percentage of total work performed by local workers on the project.

#### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

During implementation of the proposed improvements, the portion of the bikeway/pedestrian trail that extends through this section of the Dominguez Channel, from Manhattan Beach Boulevard to El Segundo Boulevard, will be closed for construction.

The Cities of Hawthorne and Gardena did not grant designated bikeway detour access on their City streets. Road closure signs will be posted at the entrances to the two locations in advance of the closure.

#### **CONCLUSION**

Please return one adopted copy of this letter to the Department of Public Works, Project Management Division II.

The Honorable Board of Supervisors

11/8/2011

Page 7

Respectfully submitted,

A handwritten signature in black ink that reads "Gail Farber". The script is cursive and fluid, with the first name "Gail" and last name "Farber" clearly distinguishable.

GAIL FARBER

Director

GF:MEN:bb

Enclosures

c: Executive Office, Board of Supervisors  
Auditor Controller  
Chief Executive Office  
Civic Arts Commission  
County Counsel  
Department of Human Resources  
Department of Public Social Services  
(GAIN/GROW Program)

November 8, 2011

**ENCLOSURE A**

**DOMINGUEZ CHANNEL GREENWAY PHASES I AND II  
P200000789/FCC0001096  
CITIES OF GARDENA AND HAWTHORNE  
AND UNINCORPORATED EL CAMINO VILLAGE  
CATEGORICAL EXEMPTION – LANDSCAPE IMPROVEMENTS  
ADOPT, ADVERTISE, AND AWARD CONSTRUCTION CONTRACT  
(SUPERVISORIAL DISTRICT 2)  
(3 VOTES)**

PUBLISHING LEGAL ADVERTISEMENTS: In accordance with the State of California Public Contract Code Section 20125, you may publish once a week for two weeks in a weekly newspaper or ten times in a daily newspaper. Forward three reprints of this advertisement to Architectural Engineering Division, Department of Public Works, 900 South Fremont Avenue, 8th Floor, Alhambra, California 91803-1331.

**OFFICIAL NOTICE  
INVITING BIDS**

Notice is hereby given that the Director of Public Works will receive sealed bids for furnishings, materials, labor, and equipment required to complete construction for the following work:

<b><u>SD</u></b>	<b><u>PROJECT</u></b>	<b><u>BID DOC. FEE</u></b>	<b><u>DATE OF BID OPENING</u></b>
2	Dominguez Channel Greenway Phases I and II Cities of Gardena and Hawthorne and Unincorporated El Camino Village	\$50	12/6/11

Copies of the project manual and drawings may be downloaded for free from the Los Angeles County Public Works website <http://dpw.lacounty.gov/go/constructioncontracts>; or for \$50, copies of the project manual and drawings may be obtained at the Cashier's office, Department of Public Works, 900 South Fremont Avenue, Mezzanine Floor, Alhambra, California 91803. For bid information, please call (626) 458-2563. Each bid shall be submitted on the required form, sealed, and filed at the Cashier's office no later than 10:45 a.m., on the date indicated. Bids will be publicly opened, examined, and declared by Public Works at 11:00 a.m., on this date, in Architectural Engineering Division's Conference Room, 900 South Fremont Avenue, 8th Floor, Alhambra, California 91803.



Bids must conform to the drawings and project manual and all bidding requirements. This project requires the prime contractor to possess an active-A license classification at the time of bid. The contractor should verify to his/her satisfaction that he/she holds the correct license for this type of project. The contractor and all of its subcontractors of any tier shall be required to pay prevailing wages to all workers employed in the execution of the project in accordance with Labor Code Section 1770 et seq. Copies of prevailing rate of per diem wages are on file at Public Works, which shall be made available to any interested party upon request.

### **PRE-BID CONFERENCE**

The Public Works' Project Management Team will hold a pre-bid conference at 10 a.m., on November 22, 2011, at the project job site (meet at the Rosecrans Avenue, Crenshaw Boulevard entrance, southwest corner of intersection), to provide information on the project, bidding process, and answer any questions that the potential bidders may have. For further directions, please contact Ms. Erayna Chang with the Public Works' Architectural Engineering Division at (626) 458-2325.

### **OTHER INSTRUCTIONS**

The County supports and encourages equal opportunity contracting. The contractor shall make good faith efforts, as defined in Section 2000 of the Public Contract Code, to contract with Community Business Enterprises.

The Board of Supervisors reserves the right to reject any or all bids or to waive technical or inconsequential errors and discrepancies in bids submitted in the public's interest.



Upon 72 hours notice, Public Works can provide program information and publications in alternate formats or make other accommodations for people with disabilities. In addition, program documents are available at our main office in Alhambra (900 South Fremont Avenue), which is accessible to individuals with disabilities. To request accommodations ONLY, or for more ADA information, please contact our departmental ADA Coordinator at (626) 458-4081 or TDD (626) 282-7829, Monday through Thursday, from 7 a.m. to 5:30 p.m.

Enclosure A  
November 8, 2011  
Page 3

Si necesita información en español, por favor llame al Telefono (626) 458-2563.



Con 72 horas de noticia, el Departamento puede proveerle información y publicaciones sobre el programa y formatos alternativos o hacer adaptaciones para incapacitados. Además, documentación sobre el programa está disponible en nuestra oficina principal en Alhambra (900 South Fremont Avenue), la cual es accesible para individuos con incapacidades. Para solicitar adaptaciones SOLAMENTE, o para mas información del ADA, pongase en contacto con nuestro Coordinador del ADA del Departamento al (626) 458-4081 o TDD (626) 282-7829, de lunes a jueves de las 7 a.m. a 5:30 p.m.

By order of the Board of Supervisors of the County of Los Angeles, State of California dated November 8, 2011.

SACHI A. HAMAI, EXECUTIVE OFFICER  
OF THE BOARD OF SUPERVISORS  
OF THE COUNTY OF LOS ANGELES